

01-14-02

PTO/SB/05 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032

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JCS962 US PTO
01/11/02

A

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 621P001

First Inventor Dennis M. Hilton

Title FOAMED FIREPROOFING COMPOSITION
AND METHOD

Express Mail Label No. ET121813759US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 22]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 3]
5. Oath or Declaration [Total Pages 1]
 a. Newly executed (original or copy)
 b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 17 completed)
 - i. **DELETION OF INVENTOR(S)**
 Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)

of prior application No: PCT/IB01/01604

Prior application information: Examiner _____

Group / Art Unit _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

| | | | | | | |
|--|---|---|----------------|-----------------------------------|----------------|---|
| <input type="checkbox"/> Customer Number or Bar Code Label | | (Insert Customer No. or Attach bar code label here) | | | | or <input checked="" type="checkbox"/> Correspondence address below |
| | | | | | | |
| Name | Kevin S. Lemack | | | | | |
| Address | Nields & Lemack | | | | | |
| | 176 E. Main Street | | | | | |
| City | Westboro | State | MA | Zip Code | 01581 | |
| Country | U.S.A. | Telephone | (508) 898-1818 | Fax | (508) 898-2020 | |
| Name (Print/Type) | Kevin S. Lemack | | | Registration No. (Attorney/Agent) | 32,579 | |
| Signature |  | | | Date Jan. 11, 2002 | | |

Burden Hour Statement: This form is estimated to take 0 2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U S Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

11040 U.S.P.T.O.
01/11/02

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1,020.00)

Complete if Known

| | |
|----------------------|--------------------------|
| Application Number | Not yet assigned |
| Filing Date | Herewith By Express Mail |
| First Named Inventor | Dennis M. Hilton |
| Examiner Name | Not yet assigned |
| Group Art Unit | Not yet assigned |
| Attorney Docket No. | 621P001 |

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 14-0930
Deposit Account Name Nields & Lemack

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code (\$) | Fee (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------|----------|---------------|-----------------|------------------------|
| 101 | 740 | 201 | 370 | Utility filing fee |
| 106 | 330 | 206 | 165 | Design filing fee |
| 107 | 510 | 207 | 255 | Plant filing fee |
| 108 | 740 | 208 | 370 | Reissue filing fee |
| 114 | 160 | 214 | 80 | Provisional filing fee |

SUBTOTAL (1) (\$ 740.00)

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|--------------------|----------|
| Independent Claims | 13 | -20** = 0 X 18 = 0 | 0 |
| Multiple Dependent | 3 | -3*** = 0 X 84 = 0 | 0 |
| | | 280 | 280 |

Large Entity Small Entity

| Fee Code (\$) | Fee (\$) | Fee Code (\$) | Fee Description |
|---------------|----------|---------------|-----------------|
| 103 | 18 | 203 | 9 |
| 102 | 84 | 202 | 42 |
| 104 | 280 | 204 | 140 |
| 109 | 84 | 209 | 42 |
| 110 | 18 | 210 | 9 |

SUBTOTAL (2) (\$ 280.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|----------|-----------------|--|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet |
| 139 | 130 | 139 | 130 | Non-English specification |
| 147 | 2,520 | 147 | 2,520 | For filing a request for ex parte reexamination |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action |
| 115 | 110 | 215 | 55 | Extension for reply within first month |
| 116 | 400 | 216 | 200 | Extension for reply within second month |
| 117 | 920 | 217 | 460 | Extension for reply within third month |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month |
| 128 | 1,960 | 228 | 980 | Extension for reply within fifth month |
| 119 | 320 | 219 | 160 | Notice of Appeal |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal |
| 121 | 280 | 221 | 140 | Request for oral hearing |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) |
| 143 | 460 | 243 | 230 | Design issue fee |
| 144 | 620 | 244 | 310 | Plant issue fee |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner |
| 123 | 50 | 123 | 50 | Processing fee under 37 CFR 1.17(q) |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) |
| 146 | 740 | 246 | 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (37 CFR § 1.129(b)) |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application |
| Other fee (specify) _____ | | | | |

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)

Complete (if applicable)

| | | | | | |
|-------------------|---|-----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Kevin S. Lemack | Registration No. (Attorney/Agent) | 32,579 | Telephone | (508) 898-1818 |
| Signature |  | | | Date | Jan. 11, 2002 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Attorney Docket No. 621P001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Dennis M. Hilton, Michael D. Morgan, Michael Windsor Symons and Timothy Michael Symons**

For: **FOAMED FIREPROOFING COMPOSITION AND METHOD**

Assistant Commissioner of Patents and Trademarks

Washington, D.C. 20231

Sir:

LETTER

The above-identified applicants enclose for filing a Continuation-in-part patent application entitled "**FOAMED FIREPROOFING COMPOSITION AND METHOD**". Said attached patent application includes (1) Utility Patent Application Transmittal Form (1-Page); (2) Patent Application: 22-Page Specification (including 2-pages of claims (12) and 1-Page Abstract) and 3-sheets of 8½x11 size drawings; (3) Preliminary Amendment (1-Page), together with a Replacement Sheet (1-Page); and (4) Fee Transmittal Form, together with a check in the amount of \$1,020.00 in payment of the filing fee.

The executed Declaration and Power of Attorney, with surcharge will be submitted in due course.

Applicant hereby claims priority of South African Patent Application No: 2000/4627 filed September 4, 2000 and PCT Patent Application No. PCT/IB01/01604 dated September 3, 2001.

All correspondence concerning this application should be mailed to:

Kevin S. Lemack
Nields & Lemack
176 E. Main Street
Westboro, Massachusetts 01581

Respectfully submitted,


Kevin S. Lemack
Attorney for Applicant
Registration No. 32,579

Date: January 11, 2002

EXPRESS MAIL NO: ET121813759US

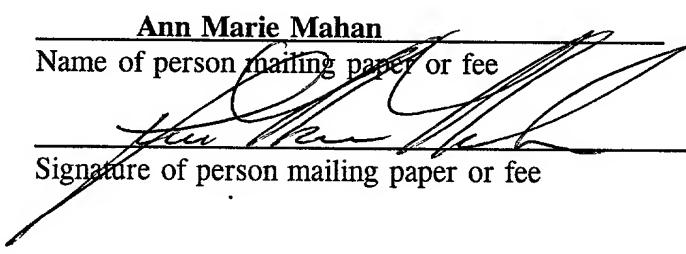
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Dennis M. Hilton, et al.
Serial No. : Not yet assigned
Filed : Herewith By Express Mail
For : FOAMED FIREPROOFING COMPOSITION AND METHOD
Examiner : Not yet assigned
Art Unit : Not yet assigned
Attorney
Docket No. : 621P001
Type of paper : Preliminary Amendment

"EXPRESS MAIL" MAILING LABEL NO. **ET121813759US**
DATE OF DEPOSIT: January 11, 2002

I hereby certify that this patent application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, **BOX: PATENT APPLICATION.**

Ann Marie Mahan
Name of person mailing paper or fee


Signature of person mailing paper or fee

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

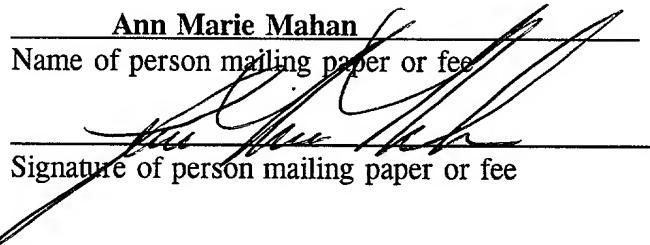
Applicants : Dennis M. Hilton, et al.
Serial No. : Not yet assigned
Filed : Herewith By Express Mail
For : FOAMED FIREPROOFING COMPOSITION AND METHOD
Examiner : Not yet assigned
Art Unit : Not yet assigned
Attorney
Docket No. : 621P001
Type of paper : Fee Transmittal Form, together with a check

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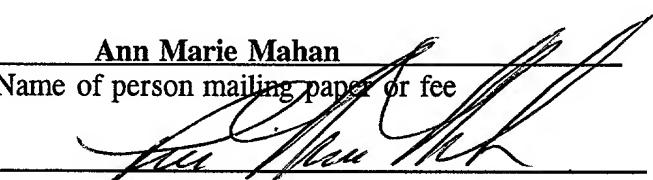
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Type of paper : Letter

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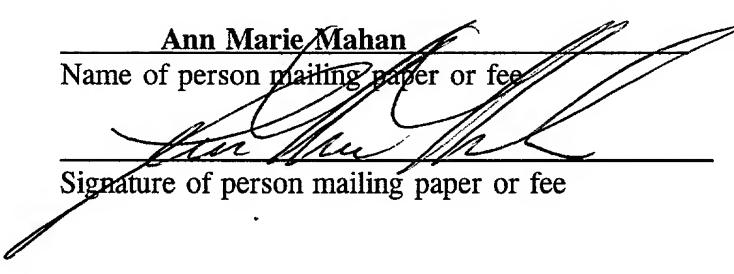
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For : FOAMED FIREPROOFING COMPOSITION AND METHOD
Examiner : Not yet assigned
Art Unit : Not yet assigned
Attorney
Docket No. : 621P001
Type of paper : Utility Patent Application Transmittal Form

"EXPRESS MAIL" MAILING LABEL NO. ET121813759US
DATE OF DEPOSIT: January 11, 2002

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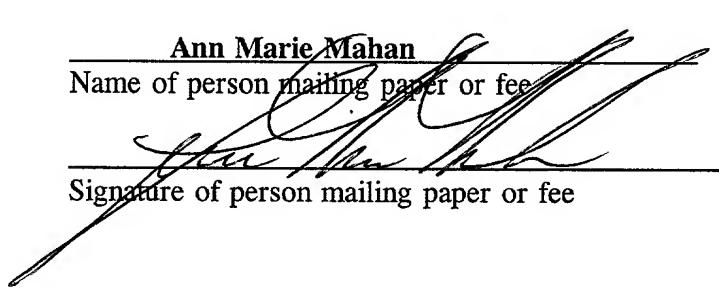
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